

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

PURDUE PHARMA L.P.,)	
PURDUE PHARMACEUTICALS L.P.,)	
THE P.F. LABORATORIES, INC., and)	
RHODES TECHNOLOGIES,)	
)	
Plaintiffs,)	C.A. No. 15-1155 (RGA) (SRF)
v.)	
)	
MYLAN PHARMACEUTICALS INC. and)	
MYLAN, INC.,)	
)	
Defendants.)	

STIPULATED DISMISSAL BETWEEN PURDUE AND MYLAN

On consent of PURDUE PHARMA L.P., THE P.F. LABORATORIES, INC., PURDUE PHARMACEUTICALS L.P. and RHODES TECHNOLOGIES and MYLAN PHARMACEUTICALS INC. and MYLAN INC., and as settlement of this action between those parties, PURDUE PHARMA L.P., a limited partnership organized and existing under the laws of the State of Delaware, having a place of business at One Stamford Forum, 201 Tresser Boulevard, Stamford, Connecticut 06901, THE P.F. LABORATORIES, INC., a corporation organized and existing under the laws of the State of New Jersey, having a place of business at One Stamford Forum, 201 Tresser Boulevard, Stamford, Connecticut 06901, PURDUE PHARMACEUTICALS L.P., a limited partnership organized and existing under the laws of the State of Delaware, having a place of business at 4701 Purdue Drive, Wilson, North Carolina 27893 and RHODES TECHNOLOGIES, a general partnership organized and existing under the laws of the State of Delaware with a place of business at 498 Washington Street, Coventry, Rhode Island 02816 (individually and collectively, “Purdue”), and, MYLAN PHARMACEUTICALS INC., a West Virginia corporation having a principal place of business

at 781 Chestnut Ridge Rd., Morgantown, West Virginia 26505 and MYLAN INC., a Pennsylvania corporation having a principal place of business at 1000 Mylan Blvd., Canonsburg, Pennsylvania 15317 (individually and collectively, “Mylan”) (Purdue and Mylan being sometimes referred to herein individually as a “Party” and collectively as the “Parties”), it is Ordered, Adjudged and Decreed as follows:

1. The Parties agree that Purdue’s claims are dismissed without prejudice. Further, Mylan and Purdue waive and release any possible claim, against each other based on conduct or events that have occurred prior to the date of entry of this Stipulated Dismissal relating to the patents in suit and Mylan Pharmaceuticals Inc.’s Abbreviated New Drug Application (“ANDA”) No. 203915, as well as any claims or counterclaims that could have been pleaded in C.A. No. 15-1155-RGA-SRF (the “Action”). For the sake of clarity, nothing in this Stipulated Dismissal: (a) applies, or may be used by any party with respect, to any other ANDA or NDA submitted by Mylan; (b) prohibits either Party from asserting that the other Party has breached the Settlement Agreement; (c) prohibits Purdue from asserting any patent against Mylan in connection with any other ANDA or NDA; (d) prohibits Mylan from submitting a paragraph IV certification to any patent owned, licensed or otherwise controlled by Purdue; or (e) prohibits Mylan from challenging the infringement, validity or enforceability of any patent owned, licensed or otherwise controlled by Purdue in any litigation filed against or by Mylan in any court of competent jurisdiction.

2. No right, written or oral license or sublicense, covenant not to sue, waiver or release or other written or oral authorization is or has been granted or implied by this Stipulated Dismissal.

3. The Action is hereby dismissed without costs or attorneys' fees, save that this District Court shall retain jurisdiction over the Action, including without limitation, over implementation of, or disputes arising out of, this Stipulated Dismissal or the settlement of the Action.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP PHILLIPS, GOLDMAN, McLAUGHLIN & HALL, P.A.

/s/ Rodger D. Smith II

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September 15, 2017

/s/ John C. Phillips, Jr.

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SO ORDERED this ____ day of September 2017.

J.